

**NINE-POINT CRITERIA ANALYSIS  
OF  
PROPOSED BUILDING STANDARDS  
OF THE  
DIVISION OF THE STATE ARCHITECT – ACCESS COMPLIANCE (DSA-AC)  
REGARDING THE 2007 CALIFORNIA BUILDING CODE  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2  
CONCERNING**

**Section 1129B – Accessible Parking Required**

Building standards submitted to the California Building Standards Commission (CBSC) for approval are required, by Health and Safety Code Subsection (H&SC§) 18930(a), to be accompanied by an analysis which will, to the satisfaction of the Commission, justify their approval. The approval of these proposed building standards is justified as follows:

**1) The proposed building standards do not conflict with, overlap, or duplicate other building standards.**

The DSA-AC has determined that the proposed changes to the California Code of Regulations, Title 24, Part 2 California Building Code (2007 CBC) do not conflict with, overlap or duplicate other building standards.

**2) The proposed building standards are within the parameters established by enabling legislation, and are not expressly within the exclusive jurisdiction of another agency.**

The proposed changes to the 2007 CBC are necessary to comply with Government Code Sections (GC§) 4450 and 14679(c) and Vehicle Code Section 22511.8(b).

The proposed building standards are not within the exclusive jurisdiction of another agency, nor do they conflict with the terms of Assembly Bill (AB) 1531 (Chapter (Ch) 413) which specifies the implementation responsibilities for both the Department of Motor Vehicles and the DSA.

**3) The public interest requires the adoption of the building standards.**

GC§ 4450 directs the DSA to develop and submit proposed building standards to the CBSC for approval and adoption and to develop other regulations for making buildings, structures, sidewalks, curbs, and related facilities accessible to and usable by persons with disabilities.

GC§ 4452 provides that the building standards published in the State Building Standards Code relating to access by persons with disabilities and the other regulations adopted by the State Architect shall be used as minimum requirements to insure that buildings, structures and related facilities are accessible to, and functional for, persons with disabilities to, through, and within their doors, without loss of function, space, or facility where the general public is concerned.

During the development of AB 1531 (Ch 413) supporters identified were Alameda County Health Care Services Agency, Association of Regional Center Agencies, California Supported Living Network, Contra Costa Health Services, and Developmental Disability Council of Contra Costa County.

**4) The proposed building standards are not unreasonable, arbitrary, unfair, or capricious, in whole or in part.**

The DSA-AC has determined that the proposed building standards are not unreasonable, arbitrary, or capricious, in whole or in part.

**5) The cost to the public is reasonable, based on the overall benefit to be derived from the building standards.**

The DSA-AC finds that the proposed changes to the 2007 CBC may minimally increase certain costs; however, the DSA-AC has determined that, based on the resulting benefits of this proposal, this cost is reasonable.

According to the Assembly Appropriations analysis during the development of AB 1531 (Ch 413), minor statewide costs, if any, may occur. Costs to provide accessible parking space signs and to paint the access aisle border and crosshatched lines are not triggered unless the accessible parking space is newly designated or other factors require sign replacement or repainting.

**6) The proposed building standards are not unnecessarily ambiguous or vague, in whole or in part.**

The DSA-AC has determined that these proposed changes to the 2007 CBC are clear and definite.

**7) The applicable national specifications, published standards, and model codes have been incorporated therein as provided in this part, where appropriate.**

The DSA-AC has proposed changes to 2007 CBC which ensure California's accessibility regulations related to parking adequately address the intent of AB 1531 (Ch 413).

The federal ADA Standards for Accessible Design, Section 4.6, contains comparable accessibility standards. These proposed state building standards, as intended by AB 1531, will exceed federal standards by specifying a method and color(s) for marking access aisles at accessible parking spaces and by requiring signs to state the minimum fine imposed on a person for unauthorized parking in an accessible parking space.

**8) The format of the proposed building standards is consistent with that adopted by the Commission.**

The DSA-AC is using the format consistent with the CBSC.

**9) The proposed building standards, if they promote fire and panic safety as determined by the State Fire Marshal, have the written approval of the State Fire Marshal.**

These proposed changes to the 2007 CBC are not intended to promote fire and panic safety. The DSA-AC has submitted these proposed changes to the State Fire Marshal for review.